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19 **THE UNITED STATES DISTRICT COURT**
20 **SOUTHERN DISTRICT OF CALIFORNIA**

21 WHITEWATER DRAW NATURAL,
22 RESOURCE CONSERVATION
23 DISTRICT *et al*,

24 Plaintiffs,

25 v.

26 JOHN F. KELLY, *et al.*,

27 Defendants.

Case No. 3:16-cv-2583

**PLAINTIFFS' STATEMENT OF
REASONS IN OPPOSITION TO
DEFENDANTS' MOTION TO STAY
PROCEEDINGS**

Date: July 3, 2017

Time: 10:30 a.m.

Courtroom: 5B

Hon. H. James Lorenz

1 Defendants U.S. Department of Homeland Security (“DHS”) and U.S.
2 Homeland Security Secretary John F. Kelly, have failed to meet the burden they
3 must establish to obtain a stay of this case and all of its pending deadlines. To meet
4 this burden, Defendants must establish that they would face hardship or inequity in
5 being required to proceed with an answer to the case at this time. Defendants state
6 that two of the Executive Orders issued by the President of the United States on
7 January 25, 2017, may “potentially” result in the withdrawal of a number of the
8 actions named in the Plaintiff’s complaint. Defendants have not demonstrated
9 hardship or inequity in being required to go forward with the case until the final
10 results of the policy review is known because they have not shown their defense
11 depends on the policy review. Defendants have not shown that staying this action
12 would ensure government resources are used most appropriately during the
13 Executive Order Review period.

14
15 A Memorandum of Points and Authorities in support of Plaintiffs’
16 Opposition to Defendants’ Motion to Stay Proceedings is filed herewith.
17
18

19 Dated: June 16, 2017
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24 Respectfully submitted,

25 /s/Julie B. Axelrod

26 Julie B. Axelrod

27 California Bar. No. 250165
28

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